

UNITED STATES DISTRICT COURT  
for the  
Eastern District of New York

Bertin Refugio, on behalf of himself,  
and others similarly situated, )  
Plaintiff(s) )  
v. )  
CAFE & BAKE, LLC, dba TIM HORTONS, )  
and KERRIM JIVANI, individually )  
Defendant(s) )  
Civil Action No. 19 CV 192 AMD-RER

## **SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*) 1700 CAFE & BAKE, LLC, dba TIM HORTONS  
1700 Richmond Avenue  
Staten Island, New York 10314

KERRIM JIVANI  
700 Richmond Avenue  
Staten Island, New York 10314

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Cilenti & Cooper, PLLC  
708 Third Avenue - 6th Floor  
New York, New York 10017

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Douglas C. Palmer  
*CLERK OF COURT*

s/Kimberly Davis

*Signature of Clerk or Deputy Clerk*

Date: 1/15/2019

